

EXHIBIT “E”

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ERIC MEINDL and ANTHONY NEGRON, on behalf of	:
themselves and all others similarly situated,	:
	: Case No.
	: 2:16-cv-05894-JMA-GRB
Plaintiffs,	:
- against -	: <u>NOTICE OF PENDENCY</u>
	:
MOBILTY CENTER, INC. d/b/a I FIX SCREENS,	: IMPORTANT NOTICE
IZZMATIC INNOVATIONS LLC d/b/a I FIX SCREENS,	: ADVISING YOU OF YOUR
I FIX SCREENS ASTORIA BLVD, LLC, I FIX SCREENS	: LEGAL RIGHTS
GREAT NECK, LLC, I FIX SCREENS NYC, LLC, I FIX	:
SCREENS FLORIDA, INC., KAMRAN FAISAL AND	:
ABED ZIADA.	:
	:
Defendants.	:
-----	X

This is a court authorized notice. This is not a solicitation or advertising from a lawyer.

**IF YOU WERE EMPLOYED BY
I FIX SCREENS
AS A CELL PHONE REPAIR TECHNICIAN:**

PLEASE READ THIS NOTICE CAREFULLY
THIS COULD AFFECT YOUR LEGAL RIGHTS

1. **YOU MAY HAVE THE RIGHT TO JOIN THIS COLLECTIVE ACTION SUIT**

Former employees Eric Meindl and Anthony Negron (collectively, "Plaintiffs"), have brought this lawsuit against Defendants Mobility Center, Inc. d/b/a I Fix Screens, Izzmatic Innovations, LLC d/b/a I Fix Screens, I Fix Screens Great Neck, LLC, I Fix Screens Astoria Blvd, LLC, I Fix Screens NYC, LLC, I Fix Screens Florida, Inc., Kamran Faisal, and Abed Ziada (collectively, "Defendants") alleging that the Defendants violated the overtime and minimum wage provisions of the Fair Labor Standards Act ("FLSA"). The lawsuit seeks back pay and liquidated damages from the Defendants, as well as costs and attorneys' fees to compensate eligible employees.

The Defendants deny the allegations made by the Plaintiffs, and deny that they are liable to Plaintiffs for any back pay, damages, costs or any attorneys' fees sought.

The Judge has not yet reached a decision in the case, but is giving all those employees who might have been affected by these violations the opportunity to join this collective action suit.

2. YOUR RIGHT TO PARTICIPATE IN THIS SUIT

If you were employed for I Fix Screens as a Cell Phone Repair Technician, at any time from October 24, 2013¹, until now, you may join Plaintiffs in this suit (that is, you may “opt-in”) by mailing the “Consent to Join Form” in the enclosed self-addressed stamped envelope to Plaintiffs’ counsel at the following address:

SHULMAN KESSLER LLP
534 Broadhollow Road, Suite 275
Melville, New York 11747

If you decide to join, you must send the form on or before **[60 days after mailing]**. After such date, you may not be able to participate in this lawsuit.

3. EFFECT OF JOINING THIS SUIT

If you choose to join this lawsuit, you will be bound by any decision of the Court, judgment of the Court, or settlement, whether favorable or unfavorable.

By completing and timely returning the Consent to Join form, you are agreeing to have Plaintiffs Eric Meindl and Anthony Negron act as your agent to make decisions on your behalf concerning this lawsuit.

The Plaintiffs’ attorneys are being paid on a contingency fee basis, which means that if there is no recovery, they will not receive any attorneys’ fees. If the Plaintiffs prevail and there is a recovery, the Court will decide the amount of fees to be paid to their attorneys. The Court may order that attorneys’ fees be paid from the money judgment entered in favor of Plaintiffs, or that they be paid separately by the Defendants, or some combination of the two.

4. EFFECT OF NOT JOINING THIS LAWSUIT

If you choose not to join this lawsuit, you do not need to do anything. If you do not join the lawsuit, you will not be affected by any judgment or settlement rendered in the lawsuit, whether favorable or unfavorable, and you are permitted to file your own lawsuit for overtime violations under the FLSA.

¹ Note that at this time, only the FLSA claims are at issue with respect to this Notice. The FLSA claims allow for recovery from within three years preceding the present date. However, should a class be certified for overtime claims arising from New York state law, those state law claims permit recovery from six years preceding the present date.

5. YOUR LEGAL REPRESENTATION IF YOU JOIN

If you choose to join this suit, and agree to be represented by the Plaintiffs' attorneys, your counsel in this action will be:

Troy L. Kessler and Saranicole A. Duaban
SHULMAN KESSLER LLP
534 Broadhollow Road, Suite 275
Melville, New York 11747
(631) 499-9100

You also have the right to retain your own counsel.

6. NO RETALIATION PERMITTED

Federal law prohibits the Defendants from firing or in any other manner discriminating against you because you decide to join this lawsuit.

PLEASE DO NOT CONTACT THE CLERK OF THE JUDGE OR THE CLERK OF THE COURT WITH ANY QUESTIONS ABOUT THIS LAWSUIT

Dated: _____

SO ORDERED:

CONSENT FORM

1. I consent to make a claim under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* against my current/former employer, I Fix Screens and its related entities, to secure any relief that may be awarded, including back pay, liquidated damages, attorneys' fees, costs and other relief arising out of my employment with I Fix Screens and its related entities.
2. During the past 3 years, there were occasions when I worked for I Fix Screens, and I received less than the minimum wage and there were occasions when I worked more than 40 hours in a week and did not receive proper overtime compensation for those hours.
3. I authorize Shulman Kessler LLP to represent me in this case.

Date: _____

Signature

Print Name

RETURN THIS FORM BY [60 days from date of mailing] TO:
Shulman Kessler LLP, 534 Broadhollow Road, Ste. 275, Melville, NY 11747.